

THOMAS D. BASMAJIAN
5357 Cottonwood Lane
Holladay, UT 84117
801-278-2468

November 29, 2011

Fred Lewis
3011 South Orchard Drive
Bountiful, UT 84010


LOWER JORDAN RIVER

RE: 2011 Minutes of the Annual Meeting

Enclosed, please find a copy of the Minutes of the Annual Meeting of the Water Users of the Lower Jordan River, held January 20, 2011.

Feel free to contact me at my home number, 801-278-2468, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'T. Basmajian', written over a horizontal line.

Thomas D. Basmajian
Secretary

cc: ~~Leo Sims~~ JARED MANNING
Utah Division of Water Rights
PO Box 146300
Salt Lake City, UT 84114

**MINUTES OF THE ANNUAL MEETING
OF THE WATER USERS OF THE LOWER JORDAN RIVER**

The annual meeting of the Water Users of the Lower Jordan River Distribution System and representatives of the Division of Water Rights was held Thursday, January 20, 2011, in a conference room of the Natural Resources Building, 1594 West North Temple, Salt Lake City, Utah. Present at the meeting were Lee Sim, Mike Silva, Teresa Wilhelmsen, Aaron Spencer, LaVal Drechsel and Ben Anderson, Utah Division of Water Rights; Fred Lewis, Lower Jordan Water Chairman; Lane Jensen, Lower Jordan Water Commissioner; John Larsen, Upper River Commissioner; Dick Gilbert and Patrick Kelly, Ambassador Duck Club; Rich Hansen and Eric Anderson, Utah Division of Wildlife Resources; Thomas Basmajian, Lower Jordan Water Secretary; Beau Clements, New State; Charles F. Gillmor, Gillmor Livestock Corp.; Joe Polidori, North Point Duck Club; Mike Freeman and Cory Angeroth, US Geological Survey; Van King, Rio Tinto-Kennecott; Rich Judson and Dan Drumiler, Salt Lake County.

Fred Lewis served as the Chairman of the meeting; Thomas Basmajian served as Secretary.

The Minutes of the Annual Meeting held January 19, 2010, were read by Thomas Basmajian and which upon motion made to accept and duly seconded were unanimously approved.

Fred Lewis presented the Summary of Legal Actions 2010 and indicated there were no issues the past year that required legal assistance. Mr. Lewis recommended that since no legal action has been required in a number of years, he would like to cancel the bank account reserved for legal action and transfer the remaining funds to a general account for the use of water users of the Lower Jordan district system. A motion was made to accept, duly seconded and unanimously approved.

The 2010 Annual Commissioner's Report of the Lower Jordan Water Distribution System was then distributed.

The report of Commissioner Lane Jensen was given and reviewed. It was reported the repairs to the Goggin Drain have been completed. However, a flood gate control drill is required to be purchased pertaining to the work completed on the drain. It was agreed that Lane Jensen would complete the purchase of the drill. Also, there was a correction noted, the compromised release from Utah Lake was on February 3, 2010, as opposed to February 4, 2010. The Commissioner further reported on the United States Geological Survey (USGS) gauge. The surplus canal gauge will be replaced and moved downstream for improved performance. The committee acknowledged Lane Jensen for providing a thorough and detailed report, and stated that \$250 will be placed in the budget for the expenses on the report.

Lee Sims then reported there is a proposed 7% cut to the Division of Water Rights budget, which could result in the loss of up to six engineers. If this were to happen it could impact the timeliness of response of the Utah Division of Water Rights.

Mike Silva presented the Lower Jordan River Distribution Engineer's Report. There was discussion about the potential early release prior to the Utah Lake compromise. It was determined this would be possible with the new equipment scheduled to be installed this year. No recommendations have been made at this time and it was agreed to discuss the issue at the next board meeting.

Mike Silva then presented the 2010 financial report which upon motion made to accept and duly seconded was unanimously approved.

After discussion of the 2010 budget the following 2011 budget and assessment was moved to accept, duly seconded and unanimously approved:

LOWER JORDAN RIVER DISTRIBUTION SYSTEM

2011 BUDGET EXPENDITURES

<u>Description of Budget Item</u>	<u>Amount Approved</u>
Salary – Water Commissioner	12,100.00
Social Security - Water Commissioner	926.00
Retirement - Water Commissioner	2,132.00

Insurance Premiums - Water Commissioner	138.00
Travel Expense - Water Commissioner	9,000.00
Annual Report	250.00
Secretarial Expense	100.00
Committee Expense	200.00
Telephone Expense	500.00
Contractual Services	350.00
Miscellaneous Expense	5,500.00
State Engineer Assessment	1,660.00

TOTAL 2011 BUDGET

32,856.00

The 2011 assessments are to be in the amount of \$25,000.00, the assessments to be computed on the same basis as in the past, i.e., first computation of the Brighton North Point's share, the balance to be assessed one-half to the river users and one-half to the surplus canal users, in the proportion of rights claimed, with a minimum of five dollars, actual computations to be made by the Division of Water Rights.

In connection with the distribution of water for the coming year the following resolutions were duly motioned, seconded and unanimously approved:

RESOLVED: That in the event of low water this year, "low water" being defined as below 325 second feet of water owned by users below the diversion between the Jordan River and the Surplus Canal and excluding water not owned by users below that diversion point, the water owned by users below the point of diversion between the Jordan River and the Surplus Canal is to be divided one-half to the river and its users and one-half to the Surplus Canal and its users for the water year 2011 without prejudice to any of the legal rights of the parties involved.

RESOLVED: If the foregoing allocation is not acceptable in operation then corrective action will be taken within twenty days after notice to the Water Commissioner. Any one of the following river users, New State, Inc., Farmington Bay WMA, Pacificorp Energy or any other aggrieved river user may request that this resolution be adjudicated in a court of law.

RESOLVED: That the Committee of the Lower Jordan Water Users Association be and it is hereby authorized and directed to take such steps as are necessary or appropriate to effectuate the foregoing resolutions.

BE IT FURTHER RESOLVED: That the foregoing three resolutions with applicable updates for each successive year shall be and remain in full force and effect for later water years until further legal resolution by the Lower Jordan Water Users Association.

It was the consensus of the body that a reference to the foregoing resolutions with applicable updates of the water years applicable should be included in the minutes of the annual meeting of the Association each year.

Upon motion duly made, seconded and unanimously carried, the following persons were named to act as members of the Lower Jordan Water Users Association Committee for the coming year and until their successors are elected or appointed:

Dick Gilbert
4071 Minuet Court
West Valley City, UT 84119

Secretary – Thomas D. Basmajian
5357 Cottonwood Lane
Holladay, UT 84117

Mike Stangl
90 E. 7200 S., #200
Midvale, UT 84047

Claudia Conder
Utah Power & Light Company
1407 West North Temple, Suite #110
Salt Lake City, UT 84116

David Hinckley
3500 North 2200 West
Salt Lake City, UT 84116

Chairman – Fred Lewis
3011 South Orchard Drive
Bountiful, UT 84010

Elliott Christensen
40 East South Temple, #300
Salt Lake City, UT 84111

Bryan White
2527 South Breeze Drive
Magna, UT 84044

Richard Hansen
Division of Wildlife Resources
2004 North 1400 West

Clinton, UT 84015

Upon motion made, duly seconded and unanimously approved, Mr. Lewis remained Chairman and Mr. Basmajian, Secretary, of the Committee.

There being no further business the meeting was adjourned.

ORIG SIGNED BY: THOMAS D. BASMAJIAN
Secretary of the Meeting